

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SEAN PARNELL, individually and as a
candidate for Pennsylvania's 17th
Congressional District and on behalf of all
citizen electors of Allegheny County,
Pennsylvania; LUKE NEGRON, individually
and as a candidate for Pennsylvania's 18th
Congressional District and on behalf of all
citizen electors of Allegheny County,
Pennsylvania; BRIAN CHEW; and JAY
HAGERMAN,

Plaintiffs,

v.

ALLEGHENY COUNTY BOARD OF
ELECTIONS; RICH FITZGERALD, in his
official capacity as County Executive of
Allegheny County and as a member of the
Allegheny County Board of Elections;
SAMUEL DeMARCO III, in his official
capacity as a member of the Allegheny
County Board of Elections; and BETHANY
HALLAM, in her official capacity as a
member of the Allegheny County Board of
Elections,

Defendants.

AMENDED MOTION FOR TEMPORARY RESTRAINING ORDER

1. Plaintiffs, Sean Parnell, Luke Negron, Brian Chew, and Jay Hagerman, by and through their undersigned counsel, move this Court to issue a Temporary Restraining Order, pursuant to Federal Rule of Civil Procedure 65(b) to enjoin Defendants, Allegheny County Board of Elections, Rich Fitzgerald, Samuel DeMarco, III, , and Bethany Hallam, from refusing to issue Watchers and Poll Watchers Certificates and denying Poll Watchers access to Allegheny County's Satellite Voting Offices.

2. Further, Plaintiffs move this Honorable Court for a Temporary Restraining Order, pursuant to Federal Rule of Civil Procedure 65(b), et seq., to enjoin the Defendants and their agents from continued violations of the Pennsylvania Election Code related to the 28,879 (or more) erroneous ballots cast by mail which are being improperly handled by Defendants and to Order that all of the said 28,879 ballots and their “replacements” be properly marked as “challenged” without requiring the posting of funds by the Plaintiffs, and further providing for the proper handling of all mail-in ballots cast in Allegheny County and in particular the said 28,879 ballots identified as “erroneous.”

3. The motion for temporary restraining order is supported by Plaintiffs’ Amended Complaint for Declaratory and Injunctive Relief [ECF 28] filed contemporaneously with this Motion and the Affidavits of Chew and Hagerman attached thereto. [ECF 28-2].

4. Plaintiffs request an expedited hearing.

NOTICE OF HEARING

Plaintiffs will bring present their Amended Motion for a Temporary Restraining Order before the Hon. J. Nicholas Ranjan at a time and place to be determined by the Court.

Respectfully Submitted,

**DILLON, MCCANDLESS, KING,
COULTER & GRAHAM, LLP**

*Special Counsel for the Amistad Project of
the Thomas More Society*

Dated: October 22, 2020

By: /s/ Thomas W. King, III
Thomas W. King, III
Thomas E. Breth
Jordan P. Shuber

Counsel for Plaintiffs